

November 4, 2021 Council Meeting

The regular meeting of the Council of the City of Martinsville, Virginia was held on November 4, 2021 in Council Chambers, Municipal Building, at 7:00 PM with Mayor Kathy Lawson presiding. Other Council Members present included Danny Turner, Jennifer Bowles, Chad Martin and Tammy Pearson. Staff present included City Manager Leon Towarnicki, Assistant City Manager/City Attorney Eric Monday, Clerk of Council Karen Roberts, Community Development Director Mark McCaskill, Finance Director Linda Conover, Assistant Finance Director Mandy McGhee, and Deputy Police Chief Rob Fincher.

Mayor Lawson called the meeting to order and advised Council would go into Closed Session beginning at 6:30 PM. In accordance with section 2.1-344 (A) Code of Virginia (1950, and as amended) specifically reversion and election law, and upon a motion by Council Member Turner, seconded by Mayor Bowles with the following 4-0 recorded vote: Mayor Lawson, aye; Vice Mayor Bowles, aye; Council Member Pearson, aye; and Council Member Turner, aye. Council Member Martin arrived for Closed Session at 6:35pm. Council convened in Closed Session to discuss the following matters: (A) Consultation with legal counsel and briefings by staff members, attorneys or consultant pertaining to actual or probable litigation, or other specific legal matters requiring the provision of legal advice by such counsel, as authorized by Subsection 7 specifically related to reversion, the cable franchise, animal regulations, parking lot leases and the opioid settlement. At the conclusion of Closed Session, each returning member of Council certified that (1) only public business matters exempt from open meeting requirements were discussed in said Closed Session; and (2) only those business matters identified in the motion convening the Closed Session were heard, discussed, or considered during the meeting. A motion was made by Vice Mayor Bowles; seconded by Council Member Martin, with the following 5-0 recorded vote in favor to return to Open Session: Council Member Turner, aye; Mayor Lawson, aye; Council Member Pearson, aye; Vice Mayor Bowles, aye; and Council Member Martin, aye.

Mayor Lawson asked for a moment of silence for the Magna Vista students who were involved in a car wreck this morning. Following the Pledge to the American Flag and invocation by Council Member Pearson, Mayor Lawson welcomed everyone to the meeting.

Consider adoption of an ordinance on first reading, approving the Voluntary Settlement Agreement for Reversion, and authorizing filing of Petition – City Attorney Monday explained that the approval of the VSA is statutorily required. The City has already voted once to approve the VSA. Tonight's vote coincides with Henry County who has scheduled their reading and adoption for November 23, 2021. Monday briefly explained the next steps in the reversion process. Council Member Turner made a motion to adopt the ordinance on first reading. Vice Mayor Bowles seconded the motion. Council Member Pearson said that she is not against the VSA but does not feel that Council should vote on it tonight; citizens should be given more opportunities to ask questions and provide input. Even if Council does not delay the first vote, she asks that they consider delaying the second vote. Pearson made a motion to

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amend the previous motion and delay the vote until March 8, 2022. With no second, the motion died. Council Member Turner says this process has taken long enough, citizens have had ample opportunity to express their opinions and ask questions so there is no reason to delay the vote. Council Member Martin asked if the vote was pushed back, how much money could that cost the City. City Attorney Monday estimated with attorney fees, it could cost the City another \$50-\$60,000 to slow down the process. Monday feels that approval of the VSA in the City should be done around the same time as the County. The ordinance was adopted on first reading with the following 4-1 roll-call vote: Council Member Martin, aye; Mayor Lawson, aye; Council Member Pearson, nay; Council Member Turner, aye; and Vice Mayor Bowles, aye.

<p style="text-align: center;">CITY OF MARTINSVILLE, VIRGINIA ORDINANCE NO. 2021-R/U-1</p> <p style="text-align: center;">AN ORDINANCE TO ADOPT A VOLUNTARY SETTLEMENT AGREEMENT OF TOWN STATUS ISSUES BETWEEN THE CITY AND HENRY COUNTY, VIRGINIA, AND TO PETITION AN APPROPRIATE CIRCUIT COURT FOR AN ORDER AFFIRMING, VALIDATING, AND GIVING FULL FORCE AND EFFECT TO THE AGREEMENT</p> <p>WHEREAS, in August 2021, the City of Martinsville ("City") and the County of Henry ("County") approved a Voluntary Settlement Agreement between the City of Martinsville and the County of Henry (the "Agreement"), which constituted a Voluntary Settlement Agreement authorized by Chapter 34 of Title 15.2 of the Code of Virginia (§ 15.2-3400 et seq.); and</p> <p>WHEREAS, the Agreement provides for the reversion of the City to town status within Henry County and addresses the allocation of governmental services following that change in governmental structure, the transfer of certain properties, the sharing of certain revenues, a temporary moratorium of annexation rights, and other matters; and</p> <p>WHEREAS, in August 2021, the City and the County presented the Agreement to the Commission on Local Government (the "Commission"), which conducted a hearing in September 2021 as required by law and issued its findings and recommendations in a Report dated October 2021; and</p> <p>WHEREAS, the City conducted a duly advertised public hearing to take citizen comments concerning both the Agreement and the Commission Report on October 26, 2021; and</p> <p>WHEREAS, Chapter 34 of Title 15.2 of the Code of Virginia (§ 15.2-3400 et seq.) requires the City and the County, subsequent to the Commission's review, to approve the Agreement by ordinance passed by a recorded vote of the majority of the members of each governing body after a duly advertised public hearing on the Agreement, and thereafter to petition an appropriate Circuit Court for an order affirming, validating, and giving full force and effect to the Agreement;</p> <p>NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Martinsville, Virginia,</p> <ol style="list-style-type: none">1. The City Council, by this Ordinance, approves and adopts the Agreement, a copy of which is attached hereto, pursuant to Chapter 34 of Title 15.2 of the Code of Virginia (§ 15.2-3400 et seq.).2. The City Council hereby authorizes the City Manager and the City's legal counsel to petition an appropriate Circuit Court for an order, pursuant to Chapter 34 of Title 15.2 of the Code of Virginia (§ 15.2-3400 et seq.), affirming, validating, and giving full force and effect to the Agreement.	<ol style="list-style-type: none">3. The City Manager and the City's legal counsel shall take all other actions and employ such special consultants as may be needed to obtain the necessary Court approval of the Agreement.4. This Ordinance shall be in full force and effect on the date of its adoption. <p>Adopted this ____ day of _____, 2021.</p> <p style="text-align: center;">*****</p> <p><i>Attest:</i></p> <p><u>Karen Roberts, Clerk of Council</u></p>
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Consider setting a schedule to conduct a series of public meetings to provide information on various reversion topics – City Attorney Monday explained the purpose behind the proposed public meetings and that each meeting would be scheduled for specific topics allowing citizens the opportunity to ask questions. Mayor Lawson explained that these meetings would continue as long as there are questions. Vice Mayor Bowles asked how residents can submit questions if they can not attend. Monday shared that they could send an email to reversion@ci.martinsville.va.us with concerns and questions. Monday noted that this email address has been available since 2018 but there have been no emails received. The public meetings will be televised and posted by local media. Council Members and City staff are encouraged to attend. Monday explained that this is not a formal Council meeting since no business will be finalized. Vice Mayor Bowles made a motion to schedule the meetings. Council Member Turner seconded the motion. Council Member Pearson thanked Mayor

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Lawson and said she loves the idea of hosting the meetings to educate the public and encourage discussion. However, she is discouraged that these meetings are scheduled after the second vote of the VSA. Pearson suggests pushing back the second November 9 vote, asking if Council does not push back the second vote, then is Council truly representing the citizens? Pearson made a motion to delay the second vote for VSA approval to March 22, 2022. Motion died due to lack of second. Council Member Martin thanked Mayor Lawson for offering these informational meetings. Vice Mayor Bowles asked if preference would be given to Martinsville residents? Monday confirmed that Martinsville citizens would be given preference although anyone may attend. All council voted in favor to schedule the public meetings.

Conversations about Reversion

There are many questions, misconceptions and misinformation about the reversion process floating around our community. Martinsville City Council wishes to engage our citizens in a conversation about the process, to answer questions, and to clear up the false information.

These conversations will consist of a brief introduction followed by an informal conversation with questions and answers. Council members and members of city staff will be present. The sessions will last for one hour.

To ensure both an informal atmosphere and an opportunity for citizens to be heard, and to maintain health safety, these sessions will require pre-registration by name and address, and will be limited to one dozen citizen participants for each session.

Any citizen wishing to register to attend a session may do so by contacting Karen Roberts, Clerk of Council, at kroberts@ci.martinsville.va.us, calling 276-403-5182, faxing 276-403-5280, or mailing City of Martinsville, attn.: Karen Roberts, P.O. Drawer 1112, Martinsville, VA 24114. Registration must be made by noon the day before each session, and will be filled on a first-come, first served basis. Preference will be given to citizens of the City. All sessions will be televised on MGTV-21 and linked on the City website and social media.

The sessions are all in Council Chambers, 55 East Church Street, second floor, as follows:

The Reversion Process	Tuesday, November 16, 2021	6:00-7:00 p.m.
Schools	Tuesday, December 7, 2021	6:00-7:00 p.m.
Town / City changes	Tuesday, January 4, 2022	6:00-7:00 p.m.
Taxation & Finances	Tuesday, January 25, 2022	6:00-7:00 p.m.
Jail, Courts, & Justice	Tuesday, February 1, 2022	6:00-7:00 p.m.

Consider information related to the 2022 Comprehensive Economic Development Strategy (CEDS) list – Community Development Director Mark McCaskill encouraged Council to review the current CEDS list; any changes or revisions may be brought to the next meeting. Lawson questioned the line item related to an amphitheater. Martin said several residents had mentioned the Baldwin park tennis court and the opportunity to turn that into a basketball court. Bowles requested that Baldwin Park should be kept separate from the general park maintenance line. The CEDS list will be voted on December 14. Pearson would like to see if there is anything from the Uptown Partnership perspective to add to the list. Martin mentioned the basketball court at Chatham Heights needing repairs also. Bowles asked about pocket parks and if those could be added to the list. Bowles mentioned adding murals and beautification of vacant buildings also since murals can add to tourism.

Hear an update on a number of projects – City Manager Towarnicki shared a PowerPoint

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with updates on numerous projects ongoing through the City. There is more going on within the City than Towarnicki can remember going on in his tenure with the City.

UPDATE – VARIOUS CITY PROJECTS

Martinsville City Council Meeting
Thursday, November 4, 2021
7 pm

Battery Storage – Maple Street

- Construction is underway and project is expected to be online by early 2022, assuming no further delays on equipment. Project is a 10 mw battery storage project with estimated savings to Martinsville of \$3M to \$6M over a 10 year period.



Solar Project

- At former Lynwood Golf Course on Dupont Road. SunTribe is expected to start site work in January, 2022 and the project is expected to be online in June, 2022. Construction on the transmission line from the solar project to the City's system is scheduled to begin next week. 8 MW project.

Aaron Mills Project

- Located on Aaron Street at former American Furniture site. Project drawings are expected in mid-November, architectural drawings are mostly complete; waiting on structural information. Considering possible relocation of sewer line across the property to better accommodate building placement. Possible closing in January, 2022 with construction possibly beginning in late February/March.



Chief Tassel Project

- Renovation work has been proceeding at a steady pace – elevator is going in, cabinets expected in a few weeks, trim work occurring, possibly looking at an opening in late winter (March)

BB & T Project

- Just recently received the contract documents related to the \$399,000 VBAG grant for environmental remediation. In discussions now with the developer about how/what manner to incorporate remediation work with renovation work. Project plans not yet received.

62 Fayette St. (former med school bldg.)

- Development agreement has been executed and developer “due diligence” is underway. Architectural drawings have been completed, engineering drawings are done, currently working on financing/tax credits. Projected schedule is for construction to begin around June, 2022 with completion by end of calendar 2022. Very interested in a “Phase II” at the bus garage.

5 – Pts Housing Project

- Housing project on West Church Street at Endless and Emanuel Streets. Foundations for first 3 houses are complete and houses are planned to be set on Monday, November 8. 2 remaining foundations will be done next week and houses set on Monday, November 15. Once houses are set, an additional 45 – 60 days will be needed to finish out interior, exterior, driveways, utilities, etc. One of the 5 has been sold with considerable interest in the other 4. The second phase of 5 to 7 units is being discussed now. Third phase will be townhouses on north side of street.



Pine Hall Road CDBG

- Plans to get the rehab specialist under contract by 11/15; execute the project contract with DHCD by 11/22; for the first of 4 rounds of rehabs – initial inspections by rehab specialists complete by 12/31/21; work write-ups by rehab specialists for 1st round by 2/28/22; bid opening for 1st round work – construction/contractor bids by 4/3/22. Repeat similar process for remaining rounds of work.

Hooker Field

- Currently working on plans to rebuild concession/press box to include restroom wings on each side. Building will be substantially larger and better suited for facility usage. Hope to have plans ready for bidding in next week or so with work possibly occurring late in 2021 or early 2022.

Business from the Floor – none

Comments by City Council – Council Member Martin thanked Clay Campbell of the Martinsville Speedway, stating that it is always amazing to be invited to the racetrack and asked Council to send a thank you card. Council Member Pearson thanked Campbell and his staff for a wonderful weekend of racing, stating that race weekend is a positive economic boost for the community. Pearson met a lot of out of town guests who visited her restaurants, and all had

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positive remarks about the community and about the people and beauty of the area. Pearson congratulated Virginia candidates elected and thanked those who had the conviction and courage to run. Pearson offered a special congratulations to Cindy Dickerson, Ruth Easley, Steve Draper and Andy Hall for their reelection in the City. Council Member Turner also shared that it was a great race and a great race weekend; Clay Campbell is much appreciated in the community. Turner asked to send a congratulations note to newly elected representatives Youngkin, Sears and Miyares. Vice Mayor Bowles thanked Campbell and the Speedway staff. Bowles congratulated city election winners and thanked those candidates who stepped up to run in the election; it takes a lot of courage to do that. Congratulations to Henry County representatives and to Garrett Dillard for being the first African American elected to the Irisburg District. Bowles reminded residents that there will be a vaccine clinic tomorrow at Martinsville Speedway 1:00-5:00pm; registration is required. Bowles asked for a report of reasons for recent power outages to be shared at a future council meeting. Mayor Lawson echoed Council Members words regarding the race. On the Thursday before the race, they had sold more tickets then their best year in 2016. Lawson offered prayers to the family of the Magna Vista students involved in an auto accident earlier today along with prayers for the students and faculty. Lawson suggested that the agenda be displayed prior to the Council Meetings going live. Lawson said that it was mentioned in a recent conversation that there are not enough trashcans uptown and no recycle bins; some don't realize where the trash cans are located because they are small and brown. She also mentioned needing recycle bins at Hooker Field. Turner asked about the flag at Five Points. City Attorney Monday explained that the pole was broken and the City is working to get that repaired.

Comments by the Assistant City Manager/City Attorney – City Manager Towarnicki extend condolences to the family of Carrie Zimmer who recently passed away. Carrie did a fantastic job in landscaping around the municipal building and around town; Towarnicki is thankful for all the work she did to beautify the City.

There being no further business, Vice Mayor Bowles made a motion to adjourn the meeting; the motion was seconded by Council Member Turner with all Council Members voting in favor. The meeting adjourned at 8:10pm.

Karen Roberts, Clerk of Council

Kathy Lawson, Mayor